

COUNCIL BLUFFS, IOWA

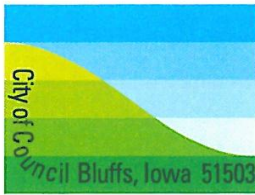
CITY PLANNING COMMISSION

ANNUAL REPORT

2009

Prepared By

THE COMMUNITY DEVELOPMENT DEPARTMENT



OFFICE OF:
COMMUNITY DEVELOPMENT
(712) 328-4629

April 13, 2010

The Honorable Thomas P. Hanafan, Mayor
and Members of the City Council
City Hall
209 Pearl Street
Council Bluffs, IA 51503

Mayor and Members of the City Council:

The City Planning Commission forwards this copy of the 2009 Annual Report for your information. This report contains a summary of the actions taken by the Commission in handling various cases referred to them during the year.

I would like to take this opportunity to thank the City Council, City Planning Commission and the Community Development Department staff for their effort and support during the past year. I hope that together we can continue to serve the City of Council Bluffs in a program of progressive community development.

Respectfully submitted,

Douglas E. Rew, Chair
City Planning Commission
City of Council Bluffs, Iowa



MAYOR

Thomas P. Hanafan

CITY COUNCIL

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Scott Belt
Lynne Branigan
Melissa Head*
Matt Schultz
Matt Walsh, Jr.

CITY PLANNING COMMISSION

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Dan Ozaydin, Vice Chair
Mary Ann Bragg
Gordon Dickerson
Julie Gould *
Sheila Graham
Bill Hartman
Stephen Johns*
Ken Milford
Donna Schoeppner
Dan VanHouten
Sharon White

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Gayle Malmquist, Development Services Coordinator
Rose Brown, Urban Planner
Rebecca Sall, Planning Technician
Patrick McFadden, Zoning Enforcement Officer
Cindy Clark, Administrative Secretary
Jeanne Mudge, Clerk Typist

*Indicates a partial year of service

CITY PLANNING COMMISSION
MEMBERS, TERMS AND ATTENDANCE

2009

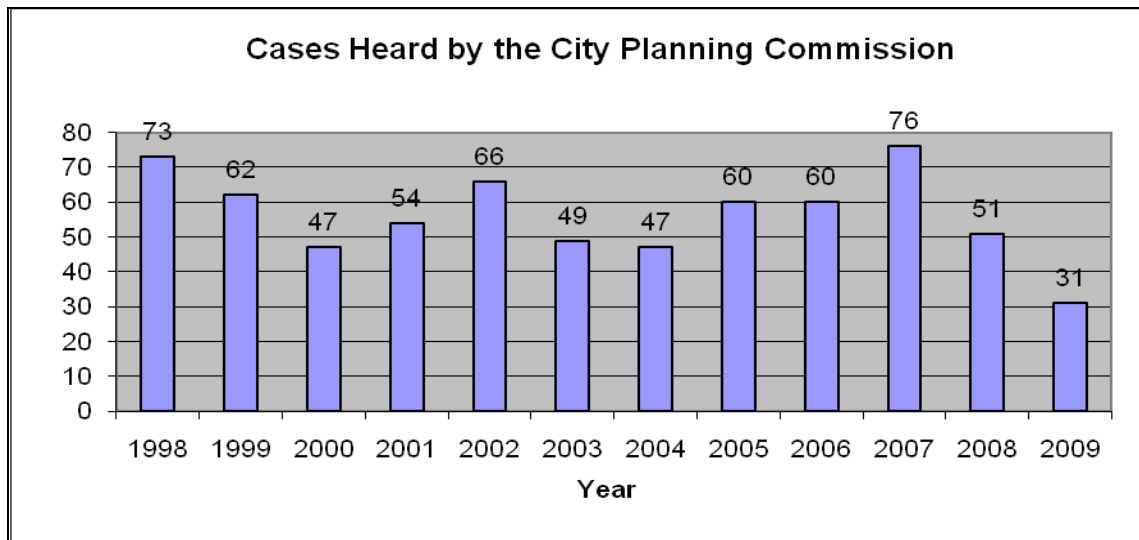
		NUMBER OF MEETINGS	
MEMBERS	TERM	PRESENT	ABSENT
Mary Ann Bragg	April 23, 2001 – April 1, 2011	7	3
Gordon Dickerson	April 14, 2008 – April 1, 2013	6	4
Julie Gould *	May 26, 2009 – April 1, 2013	6	0
Sheila Graham	December 11, 2006- April 1, 2010	10	0
Bill Hartman	January14, 2008 – April 1, 2012	10	0
Stephen Johns*	March, 2003 – Resigned March 2009	1	2
Ken Milford	November 13, 2000 – April 1, 2013	10	0
Dan Ozaydin	September 13, 2004 – April 1, 2012	9	1
Douglas Rew	July 10, 2006 – April 1, 2011	10	0
Donna Schoeppner	July 26, 2000 – April 1, 2010	4	6
Dan VanHouten	April 9, 2000 – April 1, 2010	8	2
Sharon White	February 9, 2004 – April 1, 2012	9	1

* Indicates a partial year of service

No meeting for May and December, 2009

SUMMARY OF ACTIVITIES

The Commission heard 31 requests in 2009. The chart below represents cases reviewed by the Planning Commission since 1998.



Source: Community Development Department

Subdivisions: The Commission reviewed two preliminary plans and one final plat in 2009. The Commission recommended approval subject to the actions and conditions in the staff recommendations for 23rd Garden Place (10 lot residential subdivision) and Glen Park Town Homes (9 lots). The Commission recommended final plat approval for The Seven at Fox Run Landing – Replat Three, subject to conditions listed in the staff report.

Planned Commercial District-Planned Residential District-Development Plan Review: The Commission reviewed an amendment to the Planned Commercial development plan for Metro Crossing Subdivision. No Planned Residential Development plans were reviewed.

Text Amendments: The Commission reviewed three text amendments. These amendments were related to ‘Automobile Sales and Rental establishments’, ‘Wind Energy Conversion Systems’, and ‘Family Home’. The City Council amended the Planning Commission recommendation for ‘Automobile Sales and Rental Establishments’ and revised the new section of ‘Wind Energy Conversion Systems’. The ‘Family Home’ amendment was approved.

Rezoning: The Commission reviewed 10 rezoning cases. The Commission concurred with staff’s recommendation on 9 cases, one was tabled then withdrawn before City Council took action. The City Council concurred with the Commission’s recommendations on all but one case.

Street, Alley and Public Right-of-way Vacations: The Commission heard seven requests to vacate public rights-of-way, one case was postponed indefinitely and one case was withdrawn before the meeting. The Commission concurred with all seven cases heard and Council concurred with staff’s recommendation in all but one case, which they denied.

Miscellaneous

Public hearings were held on the following seven cases:

1. Encroachment into public right-of-way at 215 & 227 South Main.
2. Adopt the Council Bluffs Pre-Disaster Mitigation Plan
3. Adopt Council Bluffs Economic Development Strategic Plan
4. Voluntary Annexation Airport Area
5. Amend Playland Park Urban Renewal Area
6. Amend Bluffs Center I Urban Renewal Area
7. Adopt Capital Improvement Program FY 2010-11 through FY 2014-15

SUBDIVISIONS - 2009

CASE #SUB-09-002: Public hearing on the request of Municipal Homes Incorporated for preliminary plan approval for a 10 lot residential subdivision to be known as 23rd Garden Place, a replat of 5.857 acres being a portion of Lots 13 through 22, Block 19, all of Block 20, including the vacated alleys, all of Lots 1 through 5, Lots 18 through 24 and the vacated alleys adjacent to said lots, Block 37, the portion of vacated 24th Avenue adjacent and the portion of South 20th Street adjacent, all in Railroad Addition, City of Council Bluffs, Pottawattamie County, Iowa. Location: South side of 23rd Avenue, west of South 19th Street.

Recommendation:	Staff:	approval, subject to actions and conditions listed in the staff report.
	CPC:	approval, subject to actions and conditions listed in the staff report.
Action:	City Council:	approved, Resolution #09-118, 04/27/09

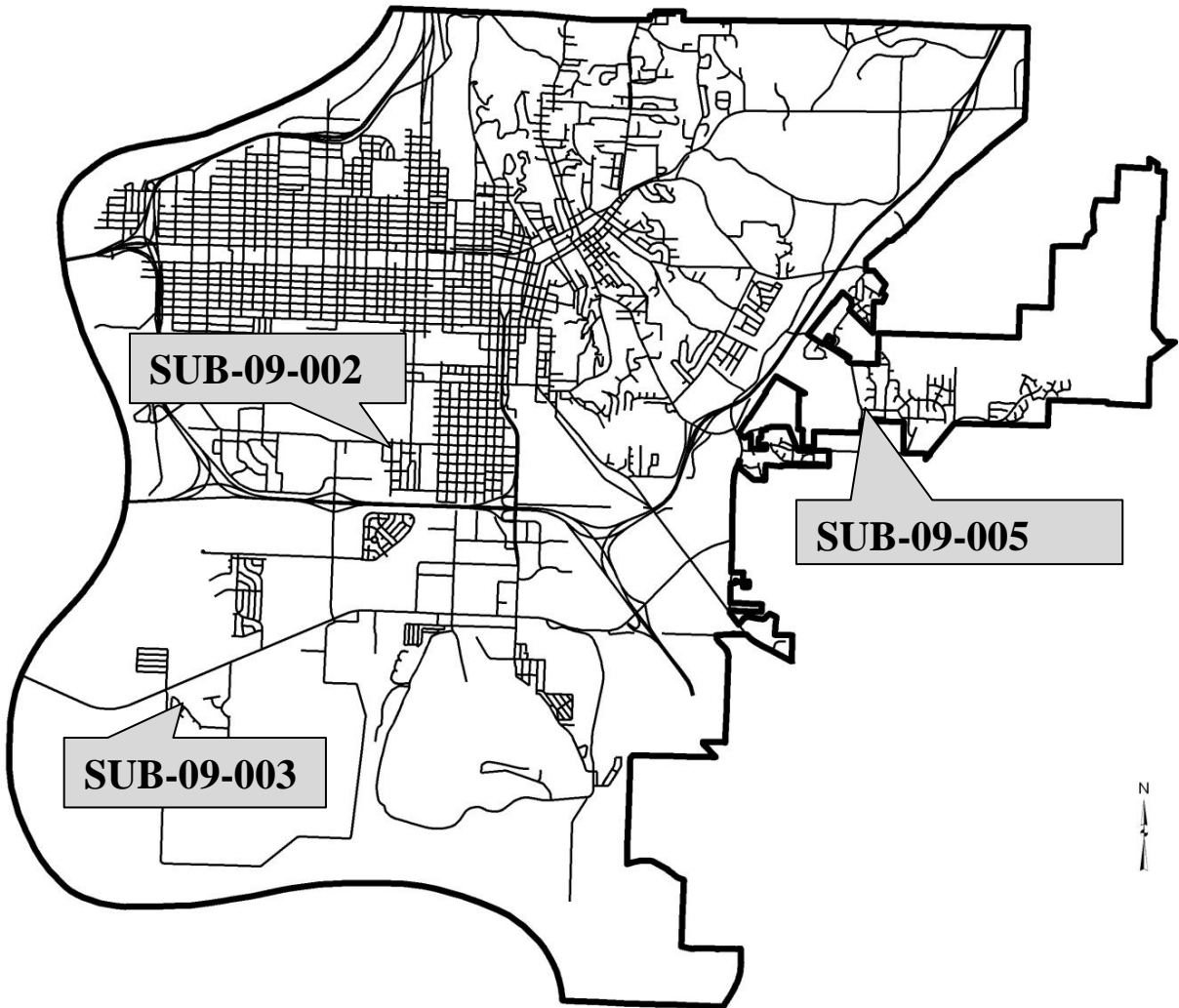
CASE #SUB-09-003: Public hearing on the request of CB Real Estate Development for final plat approval for The Seven at Fox Run Landing – Replat Three, being a replat of Lots 6A through 10B, Lots 20A through 27B and Lots 28A through 37B of The Seven at Fox Run Landing Subdivision. Location: Along Hardings Landing and Middle Ferry Roads.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions
Action:	City Council:	approved, Resolution #09-177, 06/22/09

CASE #SUB-09-005: Public hearing on the request of Tweedt Engineering & Construction for preliminary plan review for a 9 lot residential cluster subdivision (with one out lot) to be known as Glen Park Town Homes located on 1.75 acres in part of the N½ NW¼ of Section 4-74-43. Location: East side of Franklin Avenue at Forest Glen Drive.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions and exceptions
Action:	City Council:	approved, Resolution #09-253, 08/24/09

Subdivision Request



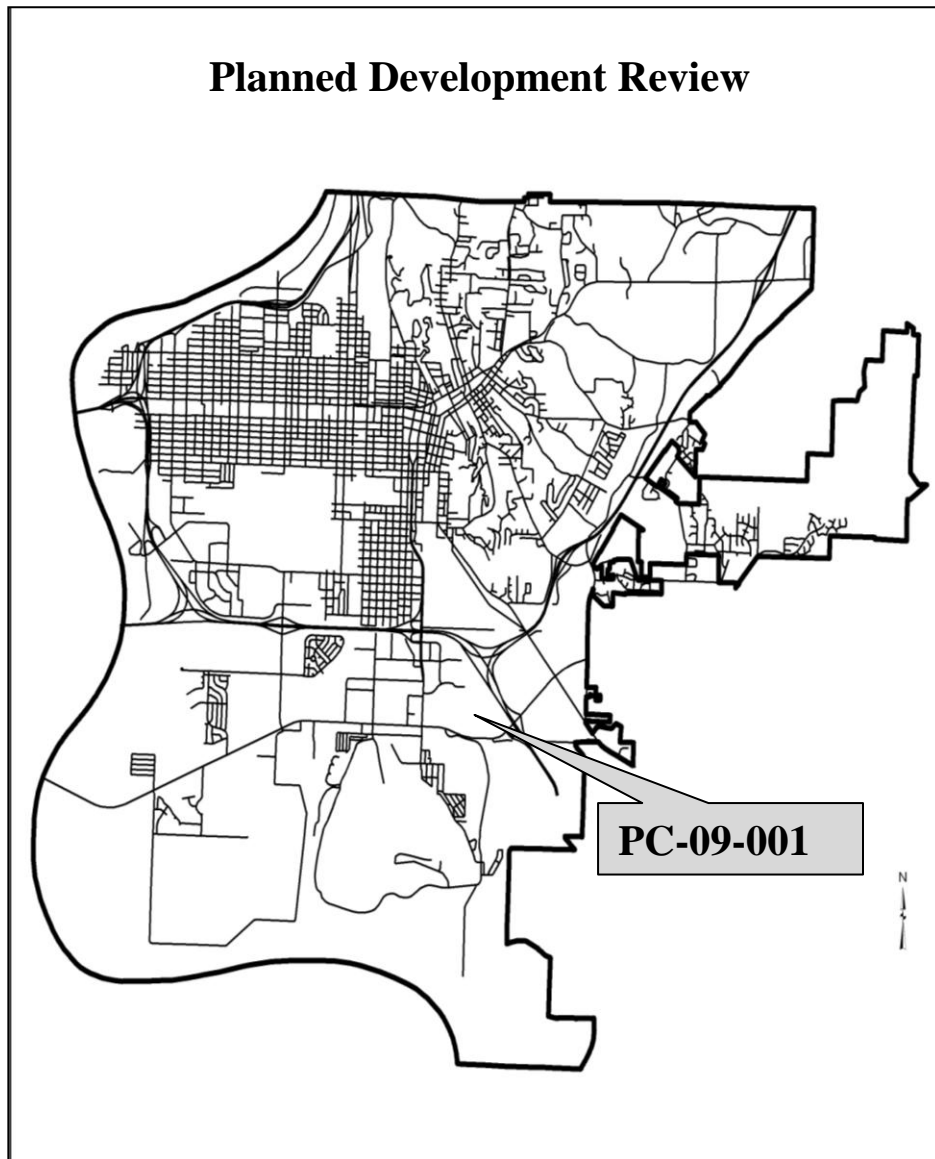
**PLANNED COMMERCIAL DISTRICT/PLANNED RESIDENTIAL DISTRICT-
DEVELOPMENT PLAN REVIEW – 2009**

CASE #PC-09-001: Public hearing on the request of Site Enhancement Services to amend the Planned Commercial Development Plan for Metro Crossing Subdivision, related to signage on Lot 17, Metro Crossing Subdivision.

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved Resolution #09-345, 11/23/09

Planned Residential Development Plans

No cases



TEXT AMENDMENTS - 2009

AMENDMENTS TO ZONING ORDINANCE

CASE #ZT-09-001: Public hearing on the request of the Community Development Department to amend various chapters of the Municipal Code (Zoning Ordinance) relative to automobile sales and rental

Recommendation:	Staff:	approval, as presented
	CPC:	approval, as presented
Action:	City Council:	approved, Ordinance #6025, #6026, & #6027, 02/23/09

CASE #ZT-09-002: Public hearing on the request of the Community Development Department to amend various chapters of the Municipal Code (Zoning Ordinance) relative to Wind Energy Conversion Systems (WECS).

Recommendation:	Staff:	approval, as presented
	CPC:	approval, as presented
Action:	City Council:	approved with revisions, Ordinance #6030, denied Ordinance #6031 and #6032, 05/26/09

CASE #ZT-09-003:Public hearing on the request of the Crossroads of Western Iowa to amend the definition of 'Family Home' in §15.03.271 of the Municipal Code (Zoning Ordinance).

Recommendation:	Staff:	approval, as presented
	CPC:	approval, as presented
Action:	City Council:	approved, Ordinance #6039, 08/24/09

AMENDMENTS TO SUBDIVISION ORDINANCE – None

REZONING - 2009

CASE #ZC-08-017: Public hearing on the request of Eastgate Associates, LLC, and The Rose of Council Bluffs, to rezone Lot 3, Eastgate Subdivision from C-2 Commercial to R-4/High Density Multi-Family Residential. Location: North of US Highway 6/East Kanesville Boulevard and west of Sherwood Drive.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions
Action:	City Council:	approved, Ordinance #6023, 2/09/09

CASE #ZC-09-001: Public hearing on the request of Bethany Lutheran Home, to rezone 22 Elliott Street from R-1/Single Family Residential to R-3/Low Density Multi-Family Residential to allow the enlargement of a proposed parking lot. This property is legally described as Lot 5 and the South 8 feet of Lot 6, Block 1, Besley's Subdivision and vacated alley adjacent and E1/2 vacated East Washington Avenue adjacent.

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Ordinance #6021, 02/23/09

CASE #ZC-09-002: Public hearing on the request of JBNT, L.L.C., to rezone the North 150 feet of Original Plat 143 (formerly 159 West Pierce) from R-3/Low Density Multi-Family Residential to C-3 Commercial to allow the expansion of the automotive service business at 125 West Pierce.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions
Action:	City Council:	approved, Ordinance #6022, 02/09/09

CASE #ZC-09-003: Public hearing on the request of Castle Development to rezone approximately 8.24 acres in part of the NW1/4 NW1/4 of Section 26-75-44 from C-2 Commercial to R-3/Low Density Multi-family Residential to order to convert the former motel addressed as 2325 Avenue N into an assisted living facility.

Recommendation:	Staff:	denial
	CPC:	tabled until 04/12/09, then withdrawn
Action:	City Council:	withdrawn by applicant prior to Council action

CASE #ZC-09-004: Public hearing on the request of the Community Development Department to Rezone approximately 230 acres of newly annexed land from A-3/Riverfront and Agricultural Production District (County) to A-2/Parks, Estates and Agricultural (City).

Recommendation:	Staff	approval
	CPC	approval
Action:	City Council:	approved, Ordinance #6029, 03/23/09

CASE #ZC-09-005 Public hearing on the request of Delilah L. Stogdill, et al to rezone 3506 – 2nd Avenue (Lot 13, Block 24, Ferry Addition) from C-2 Commercial to R-3/Low Density Multi-Family Residential. The Community Development Department expanded the rezoning request to include 3510 – 2nd Avenue (Lot 12) which abuts directly on the west.

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Ordinance #6038, 08/10/09

CASE #ZC-09-006: Public hearing on the request of Council Bluffs Community Schools to rezone Lot 5, New Horizon Subdivision from A-2/Parks, Estates and Agricultural to R-3/Low Density Multi-family Residential. Location: West side of Valley View Drive, south of College Road.

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Ordinance #6043, 10/12/09

CASE #ZC-09-007: Public hearing on the request of LT Standing, LTD/Donald and Carol Jones, to rezone 1627 Avenue C (Lot 8, Block 7, Beer's Subdivision) from C-2 Commercial to R-3/Low Density Multi-Family Residential. The Community Development Department expanded the request to include rezoning Lots 4 through 7 (1611, 1621 and 1623 Avenue C) and Lots 9 and 10 (203 and 207 North 17th Street), all in Block 7, Beer's Subdivision.

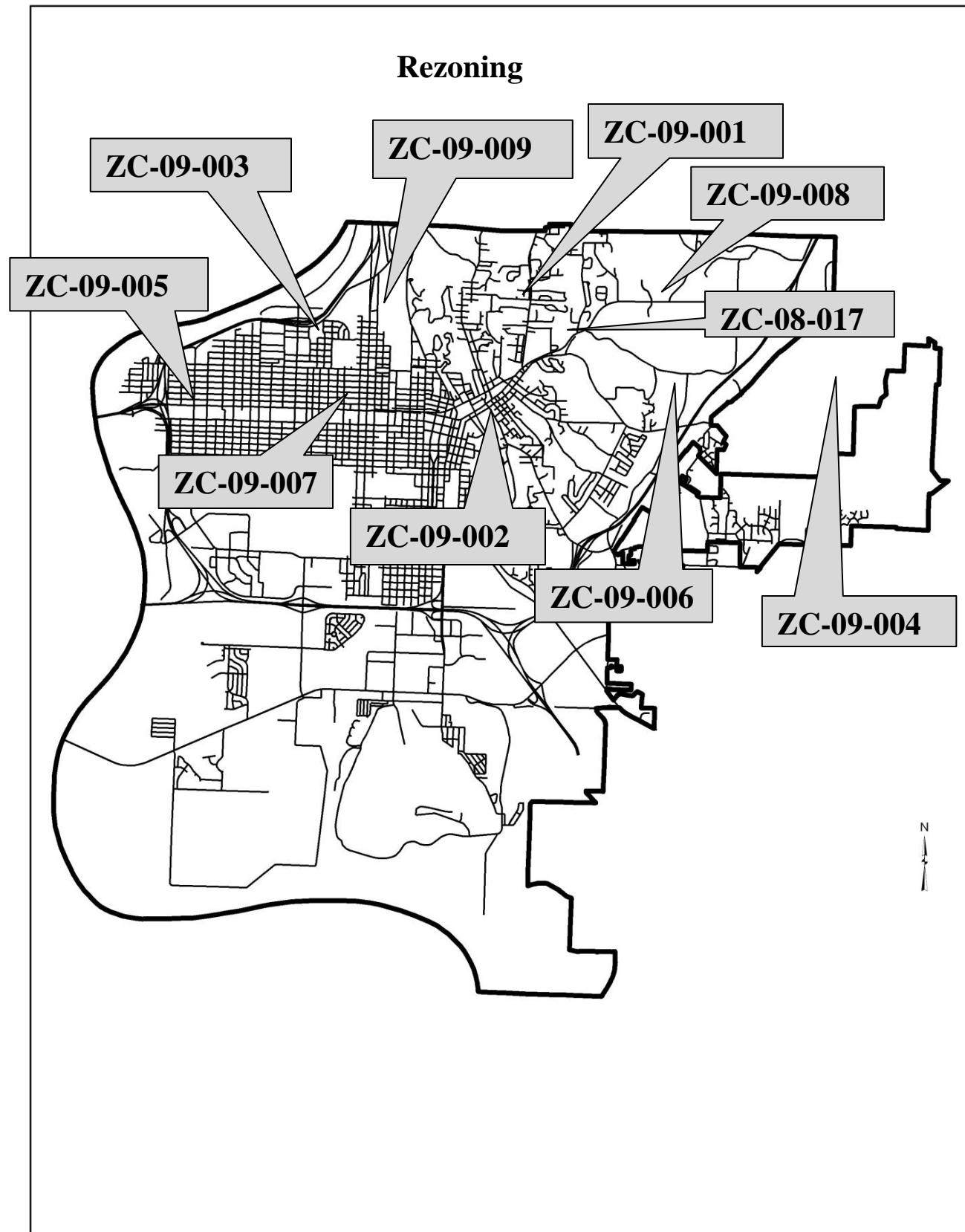
Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Ordinance #6042, 09/14/09

CASE #ZC-09-008: Public hearing on the request of Virgil Anderson to rezone 15.9 acres in a portion of Lot 1, Auditor's Subdivision of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and a portion of Lot 2, Auditor's Subdivision of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 20-75-43 from R-3/Low Density Multi-family Residential to A-2/Parks, Estates and Agricultural. Location: West of Railroad Highway and north of East Kanesville Boulevard.

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Ordinance #6044, 11/23/09

CASE #ZC-09-009: Public hearing on the request of Thomas J. Allmon to rezone 1635 Avenue O (Lots 75 and 76 and 1/2 vacated alley, Belmont Addition) from C-2 Commercial to R-1/Single Family Residential. The Community Development Department expanded the request to also rezone 1623 Avenue O (Lots 77 and 78 and 1/2 vacated alley, Belmont Addition).

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Ordinance #6045, 11/09/09



STREET, ALLEY AND PUBLIC RIGHT-OF-WAY VACATIONS - 2009

CASE #SAV-08-011: Public hearing on the request of Eastgate Associates, LLC, to vacate Eastgate Drive abutting Lot 3, Eastgate Subdivision. Location: North of US Highway 6/East Kanesville Boulevard and west of Sherwood Drive.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions
Action:	City Council:	approved, Resolution #09-029, 02/09/09

CASE #SAV-09-001: Public hearing on the request of L-T Properties, to vacate the north/south alley abutting Lot 9, Block 7, Harriman Place and Lots 7 through 11, Seldin's First Addition lying between 10th and 11th Avenues, west of Spruce Street.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions
Action:	City Council:	approved, Resolution #09-88, 04/13/09

CASE #SAV-09-002: Public hearing on the request of Craig Foreman, to vacate the east north/south alley in Block 57, Railroad Addition. This alley lies between 26th and 27th Avenues, west of South 11th Street.

Recommendation:	Staff:	denial
	CPC:	denial
Action:	City Council:	denied, 05/11/09

CASE #SAV-09-004: Public hearing on the request of Community Development Department to vacate the West north/south alley in Block 7, Riddles Subdivision. This alley runs from 9th to 10th Avenue between South Main and South 6th Streets.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions
Action:	City Council:	approved, Resolution #09-199, 07/13/09

CASE #SAV-09-005: Public hearing on the request of Community Development Department to vacate the West north/south alley in Block 58, Riddles Subdivision. This alley lies east of South 7th Street between 14th and 15th Avenue.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions
Action:	City Council:	approved, Resolution #09-228, 08/10/09

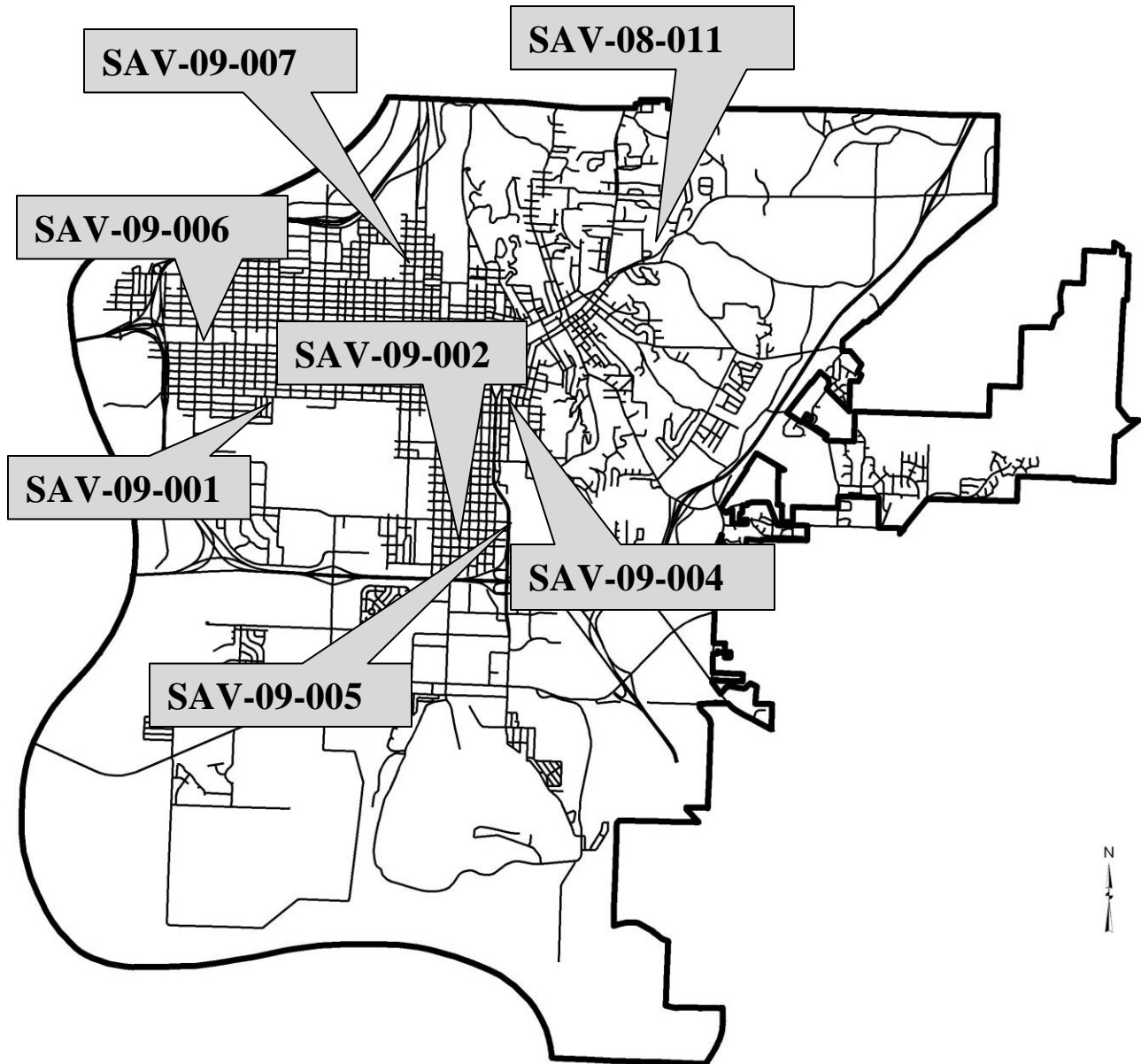
CASE #SAV-09-006: Public hearing on request of David Milner, 3414 – 2nd Avenue, to vacate the remainder of the east/west alley in Block 13, Ferry Addition, which abuts Lots 11 through 20. This portion of alley lies between 1st and 2nd Avenue and runs west from South 34th Street for 220 feet.

Recommendation:	Staff:	denied
	CPC:	approval, subject to conditions
Action:	City Council:	denied, 08/10/09

CASE #SAV-09-007: Public hearing on request of CHA Properties, LLC & The Christian Home Association/Children's Square USA to vacate Avenue F right-of-way lying between North 6th/North 7th and Curtis Street and also to vacate the east/west alley between Avenue F and Avenue G, from North 6th/North 7th to Curtis Streets in Block 3, Mill Addition.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions
Action:	City Council:	approved, Resolution # 09-361, 12/14/09

Street, Alley and Public Right-of-Way Vacations



MISCELLANEOUS REQUESTS - 2009

CASE #ENC-09-001: Public hearing on the request of Real Property Management, LLC to encroach into the public right-of-way located adjacent to 215 and 227 South Main Street to allow construction of an ADA compliant access at each address.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions
Action:	City Council:	approved for 227 S. Main only (215 S. Main, applicant withdrew) Resolution #09-31, 02/09/09

CASE #MIS-09-001: Public hearing on the request of the City of Council Bluffs to adopt the Council Bluffs Pre-Disaster Mitigation Plan.

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Resolution #09-115, 04/27/09

CASE #MIS-09-002: Public hearing on the request of the City of Council Bluffs to Adopt the Council Bluffs Economic Development Strategic Plan and amend the Service Agreement between the City of Council Bluffs and the Council Bluffs Area Chamber of Commerce.

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Resolution #09-122, 04/27/09

CASE #AN-09-001: Public hearing on the request of the Council Bluffs Airport Authority for a voluntary annexation with owners in opposition of approximately 1,058 acres located in part of Sections 26, 27, 33, 34 and 35, Township 75 North, Range 43 West of the 5th P. M. (Garner Township) and a part of Section 2, Township 74 North, Range 43 West of the 5th P. M. (Lewis Township), all in Pottawattamie County, Iowa. The area proposed for annexation extends east from the current City limits between Steven Road and Cedar Lane through the Airport Authority land lying east of Eastern Hills Drive right-of-way.

Recommendation:	Staff:	approval, subject to conditions
	CPC:	approval, subject to conditions
Action:	City Council:	approved, Resolution #09-235, 08/10/09

CASE #URN-09-001: Public hearing on the request of the Community Development Department for Amendment #2 to the Playland Park Urban Renewal Plan.

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Resolution #09-218, 07/27/09

CASE #URN-09-002: Public hearing on the request of the Community Development Department to amend the 2009 Amendment to the Bluffs Center I Urban Renewal Plan

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Resolution #09-284, 09/28/09

CASE #MIS-09-003: Public hearing on the request of the Community Development Department to adopt the FY 2010-11 through 2014-15 Capital Improvement Program

Recommendation:	Staff:	approval
	CPC:	approval
Action:	City Council:	approved, Resolution #09-292, 09/28/09

Miscellaneous Requests

